

STATE OF NEW YORK
COUNTY OF SULLIVAN

SUPREME COURT

**In the Matter of
ANTHONY BOTTOM,**

Petitioner.

-against-

ORDER

**Tina M. Stanford, Chair of the
New York State Parole Board,**

Index No: E2020-745

Respondent.

Upon consideration of the Notice of Petition and Petition with Exhibits of Kathy Manley, Esq.; the Answer and Exhibits of Assistant Attorney General Elizabeth Gavin, Esq.; the Reply Affirmation of Kathy Manley, Esq; and the Oral Argument held via Skype on August 4, 2020,

IT IS HEREBY ORDERED that the Petition is granted to the extent that the Parole Board shall afford the petitioner a *de novo* Parole hearing, which shall take place in September, 2020, when Petitioner was already scheduled for his regular Parole hearing; in the event that the *de novo* hearing results in denial of release, the regular hearing shall occur within SIXTY (60) days of the *de novo* hearing;

IT IS HEREBY ORDERED that the *de novo* hearing shall consist of at least two Parole Board members, none of whom sat on the October, 2019 panel which was the basis for the instant petition;

IT IS HEREBY ORDERED that if the Parole Board denies release after the *de novo* interview, it must provide an individualized explanation for departing from the completely low COMPAS risk scores, and must specify the COMPAS scale(s) from which the Board departed; and

IT IS HEREBY ORDERED that if the Parole Board denies release after the *de novo* interview, it must provide an individualized explanation for said denial based on the record.

ENTERED:

DATED: August 10 2020
Monticello, New York



HON. STEPHAN G. SCHICK, JSC